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May 29, 2024

**Via ECF**Hon. Philip M. Halpern, U.S.D.J.  
The Hon. Charles L. BRIANT Jr. Federal Building and Courthouse  
300 Quarropas St.  
White Plains, NY 10601-4150Re: *Wolf, et al. v. Dolgen New York, LLC*  
Case No.: 7:23-cv-00558-PMH

Dear Judge Halpern:

The Dann Law Firm and Milberg represent Plaintiffs Joseph Wolf, Carmen Wolf, and the putative class (collectively, the “Wolfs”) in the above referenced matter against Dolgen New York, LLC d/b/a Dolgen (“Dollar General”, the parties collectively, the “Parties”). In accordance with Section 1.C. of Your Honor’s Individual Practices, the Wolfs submit this letter-motion requesting a brief, one-week extension of both the Wolfs’ deadline to respond to Dollar General’s Rule 56.1 Statement of Facts, and in turn, Dollar General’s deadline to submit its pre-motion letter for summary judgment.

On May 16, 2024, Dollar General served its Motion for Summary Judgment on the Plaintiffs. The Motion consists of 182 paragraphs of Material Facts, consisting of 182 paragraphs. Pursuant to Section 1.E.iv. of Your Honor’s Individual Practices, the deadline for the Plaintiffs’ responses is May 30, 2024. As noted in the Motion (D.E. 57), the Parties attended mediation on May 16, 2024. In an effort to curb attorneys’ fees and costs, the Court hopes that the matter would be resolved at mediation. Unfortunately, the matter was not resolved. The Plaintiffs now must draft their response to Dollar General’s Motion. Between that, and between the May 27, 2024 deadline to prepare their responsive statements and the May 30, 2024 deadline to serve Dollar General and declarations be extended to June 6, 2024, the Plaintiffs’ pre-motion letter for summary judgment also be extended to June 13, 2024.

Application granted to the extent that Plaintiffs’ deadline to respond to the Rule 56.1 Statement is extended to June 13, 2024 and the parties’ deadline for filing pre-motion letters concerning summary judgment is extended to June 17, 2024. The parties are reminded the single document representing the movant’s Rule 56.1 Statement and the opposing party’s responses thereto may not exceed 25 double-spaced pages, in accordance with Rule 4(E) of this Court’s Individual Practices.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 58.

SO ORDERED.

Philip M. Halpern  
United States District Judge

Dollar General consents to this request for extension of the deadline to respond to Dollar General’s Rule 56.1 Statement of Facts, and this is the Parties’ second request to extend the deadline to file pre-motion letters for summary judgment. The Court granted in part and denied in part the Parties’ previous request to stay summary judgment deadlines. (D.E. 57).

Dated: White Plains, New York  
May 29, 2024

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Respectfully submitted,

**The Dann Law Firm, PC**

/s/ Javier L. Merino

Javier L. Merino, Esq.

*Counsel for Plaintiffs and the Putative Class*

Cc: All Counsel of Record (via ECF)